## House Study Bill 230 - Introduced

HOUS	SE FILE
ВУ	(PROPOSED COMMITTEE ON
	PUBLIC SAFETY BILL BY
	CHAIRPERSON KLEIN)

## A BILL FOR

- 1 An Act relating to the denial of state funds to a local entity.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- 1 Section 1. NEW SECTION. 8.31A Denial of state funds.
- Notwithstanding any other provision of law to the
- 3 contrary, a local entity, including any entity under the
- 4 jurisdiction of the local entity, shall be ineligible to
- 5 receive any state funds if the local entity reduces the budget
- 6 of a law enforcement agency under the jurisdiction of the local
- 7 entity unless the total budget of the local entity is reduced
- 8 by an equal or larger percentage or the local entity provides
- 9 sufficient justification under subsection 4.
- 2. State funds shall be denied to a local entity pursuant to
- 11 subsection 1 by all state agencies for each state fiscal year
- 12 that begins after the fiscal year in which the law enforcement
- 13 agency's budget is reduced. State funds shall continue to be
- 14 denied until eligibility to receive state funds is reinstated
- 15 under section 8.31. However, any state funds for law
- 16 enforcement purposes shall not be denied under this section.
- 17 3. A local entity's eligibility to receive state funds shall
- 18 be reinstated beginning on the first day of the month following
- 19 the date on which the local entity's budget is no longer in
- 20 violation of this section.
- 21 4. a. A local entity may submit written justification to
- 22 the department of management for any reductions in the local
- 23 entity's law enforcement budget. Sufficient justification may
- 24 include any of the following:
- 25 (1) Reductions related to one-time capital or one-time
- 26 equipment or vehicle purchases in the prior fiscal year.
- 27 (2) Reductions related to lower personnel cost of law
- 28 enforcement personnel due only to lower cost entry-level
- 29 law enforcement personnel replacing prior law enforcement
- 30 personnel.
- 31 (3) Reductions due to the merging or consolidation of jail
- 32 services or communications and dispatch services or the merging
- 33 of law enforcement agencies.
- 34 (4) Reductions due to reduced population in a jurisdiction
- 35 served by a law enforcement agency.

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- b. Notwithstanding any other provision of the Code, detailed information shall be required by any local entity, as described in rules, for any necessary budgetary information.
- 4 5. The department of management shall adopt rules pursuant 5 to chapter 17A to implement this section uniformly across
- 6 state agencies from which state funds are distributed to local 7 entities.
- 8 6. For purposes of this section, "local entity" means the
- 9 governing body of a city or county. "Local entity" includes
- 10 an officer or employee of a local entity or a division,
- 11 department, or other body that is part of a local entity,
- 12 including but not limited to a sheriff, police department, city
- 13 attorney, or county attorney.
- 14 EXPLANATION
- The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.
- 17 This bill relates to the denial of state funds to a local 18 entity.
- 19 The bill provides that a local entity, including any entity
- 20 under the jurisdiction of the local entity, shall be ineligible
- 21 to receive any state funds if the local entity reduces the
- 22 budget of their law enforcement agency unless the total budget
- 23 of the local entity is reduced by an equal or larger percentage
- 24 or the local entity provides sufficient justification for the
- 25 reduction. A local entity may submit written justification to
- 26 the department of management for any reductions in the local
- 27 entity's law enforcement budget. Sufficient justification may
- 28 include: reductions related to one-time capital or one-time
- 29 equipment or vehicle purchases in the prior fiscal year;
- 30 reductions related to lower personnel cost of law enforcement
- 31 personnel due only to lower cost entry-level law enforcement
- 32 personnel replacing prior law enforcement personnel; reductions
- 33 due to the merging or consolidation of jail services or
- 34 communications and dispatch services or the merging of law
- 35 enforcement agencies; and reductions due to reduced population

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- 1 in a jurisdiction served by a law enforcement agency. State
- 2 funds shall be denied to a local entity by all state agencies
- 3 for each state fiscal year that begins after the fiscal year in
- 4 which the law enforcement agency's budget is reduced. State
- 5 funds shall continue to be denied until eligibility to receive
- 6 state funds is reinstated under Code section 8.31. State
- 7 funds for law enforcement purposes shall not be denied. The
- 8 department of management is directed to adopt rules pursuant to
- 9 Code chapter 17A to implement the provisions of the bill.
- 10 Code section 8.2 defines "state funds" as any and all moneys
- ll appropriated by the legislature, or money collected by or for
- 12 the state, or an agency thereof, pursuant to authority granted
- 13 by any of its laws.